

**MEMO ENDORSED**

7/2/08

1. Overly busy up to 10 TV sets and to be planned but (a) note that as  
 possible (b) coordinate with the Dept of Education's budget of possible.  
 2. Prof. Marrero has expanded on that and will be offering to not be for  
 a part of the budget. I'm going to write up the notes and submit  
 them to the "limited" \$636/c) event for the next 10  
 days. Since you all are available to consult & submit  
 yours for part of the report, please let me know  
 forth of 7/2/08.

SO ORDERED:

Hon. Andrew J. Peck  
 United States Magistrate Judge

Honorable Victor Marrero, USDJ  
 Honorable Andrew J. Peck, USMJ  
 United States District Court  
 Southern District of New York  
 United States Court House  
 500 Pearl Street  
 New York, N.Y. 10007

EIVED

JUL -1 2008

CHAMBERS OF  
REW J. PECK

VIA FACSIMILE  
 Alan M. Klinger  
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BY FAX

Re: Teachers4Action et al. v. Bloomberg et al.  
 08 Civ. 548 (VM)(AJP)

USDC SDNY  
 DOCUMENT  
 ELECTRONICALLY FILED  
 DOC#  
 DATE FILED: 7/2/08

Honorable Judges:

As the Court is aware, we represent Defendants Randi Weingarten, President of the United Federation of Teachers ("UFT"), the UFT and Betsy Combier (collectively, the "UFT Defendants") in the above-captioned matter. We write to request an extension of the page limitation set forth in Your Honors' individual practice rules.

On June 2, 2008, the UFT Defendants were served with Plaintiffs' sixty-three page Second Amended Complaint ("Second Complaint"), alleging twelve causes of action and annexing five exhibits. Pursuant to the schedule set forth by Magistrate Judge Peck in his June 11, 2008 Order, we intend to file a motion to dismiss the complaint in its entirety as to the UFT Defendants on July 7, 2008.

To meaningfully address the legal sufficiency of all the claims alleged in the voluminous Second Complaint, more than 25 pages is necessary. Therefore, we respectfully request that the page limitation be enlarged to 50 pages.

Honorable Victor Marrero, USDJ  
Honorable Andrew J. Peck, USMJ  
July 1, 2008  
Page 2

Respectfully,



Alan M. Klinger

cc: Charles G. Moerdler, Esq.  
Edward D. Fagan, Esq.  
Blanche Greenfield, Esq.

# FAX TRANSMITTAL SHEET



**ANDREW J. PECK  
UNITED STATES MAGISTRATE JUDGE  
UNITED STATES DISTRICT COURT**

Southern District of New York  
United States Courthouse  
500 Pearl Street, Room 1370  
New York, N.Y. 10007-1312

Fax No.: (212) 805-7933  
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**Dated:** July 2, 2008

**Total Number of Pages:** 3

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Alan M. Klinger, Esq.	212-806-7818

## **TRANSCRIPTION:**

### **MEMO ENDORSED 7/2/08**

1. **Oversize brief up to 50 pages will be permitted but (a) make it as short as possible and (b) coordinate with the Dep't of Education's motion if possible.**
2. **Judge Marrero has informed me that he will be referring the motion to me for a Report and Recommendation. I previously asked the parties whether they wished to agree on a "limited" § 636(c) consent for just the motions to dismiss. Since you all were unable to coordinate a joint response, each party is to separately inform the Court of their position by 7/7/08.**

**Copy to: Judge Victor Marrero**